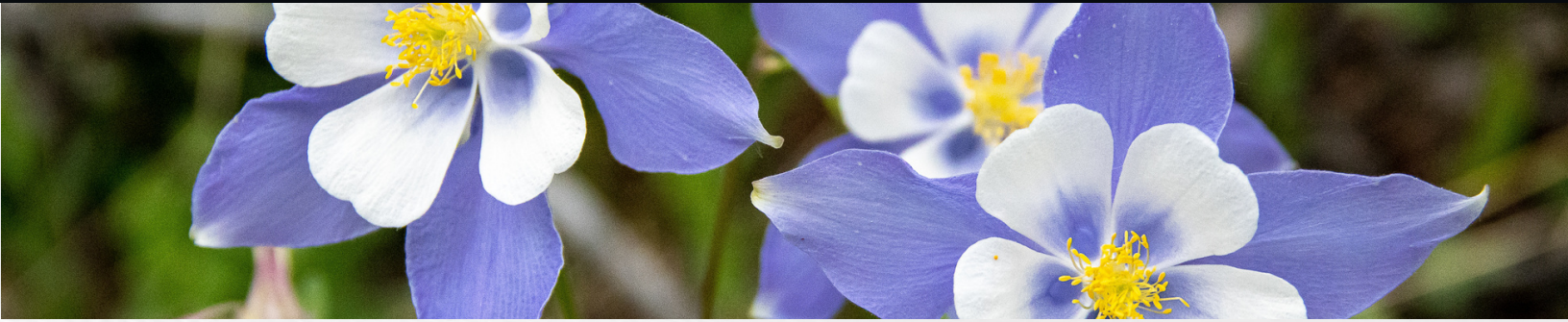


# BILL HB24-1178: LOCAL GOVERNMENT AUTHORITY TO REGULATE PESTICIDES

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Local control over pesticides has been prohibited by CO state law since 2006. Changing this would mean that local governments could have some say in creating protections for the health and safety of their community, with some exceptions, such as for agricultural production, marijuana, utilities, and water infrastructure. The Department of Agriculture would continue to have exclusive authority over this issue broadly and in particular over registration & labeling and pesticide applicator training.

This shift would allow local governments to craft and adopt more specific local ordinances that fit different community needs. Under the current law, communities can't tackle emerging local challenges to public health and environmental issues because they lack authority. Further, federal and state governments do not have the resources to provide adequate response to these challenges on the ground in communities.

Federal pesticide law established national standards for protection, allowing state and local governments the capability to regulate pesticide use more strictly. The U.S. Supreme Court confirmed this delegation of authority in the 1991 case of *Wisconsin Public Intervenor v. Mortier*, which allows regulation by local authorities when not prevented by state law.

Regulating local pesticide use is no different from local regulations affecting industry/contractor groups, such as construction, landscapers, electricians, and oil & gas. It's also comparable to differing public health-related regulations pertaining to tobacco, alcohol, guns, and food safety.

Statewide pesticide standards can unfairly apply one-size-fits-all standards, harming communities with unique needs or health considerations. It can take many years to change regulations at higher levels of government.

## EXPANDED LOCAL CONTROL WOULD ALLOW COMMUNITIES TO:



PROTECT WATER RESOURCES



INCREASE NOTIFICATION FOR PESTICIDE APPLICATIONS



CREATE BUFFER ZONES TO PROTECT SENSITIVE NATURAL RESOURCES



INCREASE PROTECTIONS FOR VULNERABLE POPULATIONS SUCH AS CHILDREN (SCHOOLS)

# SUPPORTIVE ORGANIZATIONS



## Colorado Chapter

American Academy of Pediatrics  
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Conservation Colorado **350**  
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